

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

PEERLESS INSURANCE COMPANY,

Plaintiff,

v.

AMBI-RAD, LTD., et al.

Defendants.

Civil Action No.: 07-5402(JLL)

**ORDER ADOPTING  
MARCH 6, 2009  
REPORT AND RECOMMENDATION**

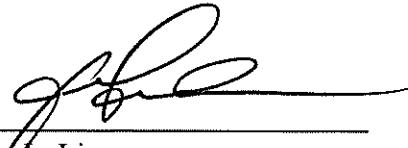
This Court had referred Defendant Ambi-Rad, Limited's motion to dismiss Plaintiff's Amended Complaint to the Honorable Claire C. Cecchi, United States Magistrate Judge, pursuant to 28 U.S.C. § 636 (b)(1)(B). Magistrate Judge Cecchi filed a Report and Recommendation in connection with Defendant's motion on March 6, 2009. The Court has considered the Report and Recommendation as well as the parties' submissions and Ambi-Rad's objection to the Report. For the reasons set forth in this Court's corresponding Opinion,

IT IS on this 23<sup>rd</sup> day of March, 2009,

**ORDERED** that the Report and Recommendation of Magistrate Judge Cecchi filed on March 6, 2009 [CM/ECF Docket Entry No. 23] is hereby ADOPTED as the findings of fact and conclusions of law of this Court; and it is further

**ORDERED** that Defendant's motion to dismiss Plaintiff's Amended Complaint [CM/ECF Docket Entry No. 17] is hereby DENIED.

**IT IS SO ORDERED.**

  
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Jose L. Linares,  
United States District Judge